

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.ci.monterey-park.ca.us



City Council
Mitchell Ing
Hans Liang
Peter Chan
Teresa Real Sebastian
Anthony Wong

City Clerk
Vincent D. Chang

City Treasurer
Joseph Leon

April 9, 2013

Sachi Hamai, Executive Director
Los Angeles County Board of Supervisors
500 West Temple Street, Room 383
Los Angeles, California 90012

Dear Ms. Hamai:

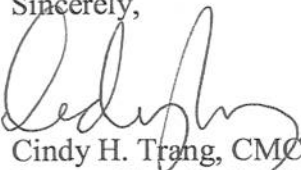
At the April 3, 2013 meeting, the City of Monterey Park City Council approved and adopted several resolutions relating to calling a Special Municipal Election on July 2, 2013. Enclosed are two certified resolutions for your records.

Resolution No. 11567 – A Resolution requesting that the Los Angeles County Board of Supervisors provide Election Services to the City for the July 2, 2013 Special Election.

Also enclosed are two copies of Resolution No. 11566 – A Resolution calling a Special Municipal Election on July 2, 2013 pursuant to Elections Code §§ 1410.

If you have any questions relating to this matter, please do not hesitate to contact the City Clerk's office at (626) 307-1360.

Sincerely,


Cindy H. Trang, CMC
Deputy City Clerk

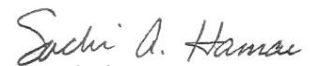
cc: Erica Montgomery, Registrar Records Office
Scott Martin, Martin & Chapman Co.

Encl.

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

66 April 30, 2013


SACHI A. HAMAI
EXECUTIVE OFFICER

CITY OF MONTEREY PARK

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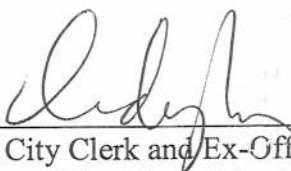
State of California)
County of Los Angeles) §
City of Monterey Park)

I, Cindy Trang, Deputy City Clerk of the City of Monterey Park and Ex-Officio Clerk of the City Council of said City do hereby certify that the foregoing is a full, true and correct copy of the original document authorizing signatories on all accounts of the city.

RESOLUTION NO. 11566
A RESOLUTION CALLING A SPECIAL MUNICIPAL ELECTION
ON JULY 2, 2013 PURSUANT TO ELECTIONS CODE §§ 1410

on file in my office, and that I have carefully compared the same with the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Monterey Park, this 9th day of April, 2013.



Deputy City Clerk and Ex-Officio Clerk of the City Council
of the City of Monterey Park, California

RESOLUTION NO. 11566

A RESOLUTION CALLING A SPECIAL MUNICIPAL ELECTION ON JULY 2, 2013 PURSUANT TO ELECTIONS CODE § 1410.

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 1410, the City Council calls for a special municipal election to be held in the City of Monterey Park on Tuesday, July 2, 2013 for the purpose of voting on an initiative.

SECTION 2: Pursuant to Elections Code § 13120 the exact form of the questions to be voted on at the election as they should appear on the ballot are as follows:

SHALL AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO AUTHORIZE AND DIRECT THE CITY COUNCIL TO NEGOTIATE TO TRANSFER ALL FUNCTIONS OF THE MONTEREY PARK FIRE DEPARTMENT TO THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY (AKA THE LOS ANGELES COUNTY FIRE DEPARTMENT) BE ADOPTED?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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SECTION 3: A copy of the ordinance to be considered by the voters is attached as Exhibit "A," and incorporated by reference. Unless otherwise indicated, the ballot measure will be designated as Measure FF on the ballot.

SECTION 4: Pursuant to Elections Code § 320, the City Clerk is the Elections Official and is authorized to take all legal actions to administer the election.

SECTION 5: The City Council authorizes the City Clerk to administer said election and the City will pay all reasonable and actual election expenses upon presentation of a properly submitted invoice.

SECTION 6: The polls for the election will open at seven o'clock a.m. of the day of the election and continuously remain open from that time until eight o'clock p.m. of the same day when the polls will close pursuant to Election Code § 10242, except as provided in Elections Code § 14401.

SECTION 7: Pursuant to Elections Code § 12310, a precinct board member will be paid a one-time stipend of \$100.00 and a precinct inspector will be paid a one-time stipend of \$125.00. In addition, the sum of \$25.00 will be given to each precinct board member/inspector for attending a training class, and a stipend of \$25.00 for each board member/inspector with ability to speak a second language. Precinct board inspectors will be required to attend the training class.

SECTION 8: The rental charge for each polling place, where a charge is made, is \$ 35.00. When required, the compensation of the custodian of a building is \$35.00 for the election.

SECTION 9: Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10: In all particulars not specifically recited in this Resolution, the election will be held and conducted as provided by law for holding municipal elections.


SECTION 11: The City Clerk is directed to certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 12: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 3rd day of April, 2013.



Mitchell Ing, Mayor

ATTEST: 

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: 


Karl Berger, Assistant City Attorney

State of California)
County of Los Angeles) ss.
City of Monterey Park)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 11566 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 3rd day of April, 2013, by the following vote:

Ayes:	Council Members: Chan, Liang, Wong, Real Sebastian, Ing
Noes:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None

Dated this 3rd day of April, 2013.



Vincent D. Chang, City Clerk
City of Monterey Park, California

PROPOSED LAW

This initiative measure is submitted to the people of Monterey Park in accordance with the provisions of the California Elections Code Section 9200 *et seq.*

The people of the City of Monterey Park do ordain as follows:

CITY OF MONTEREY PARK SAFE AND AFFORDABLE FIRE AND EMERGENCY SERVICES MAXIMIZATION ORDINANCE

SECTION 1. Title.

This measure shall be known and may be cited as the City of Monterey Park Safe and Affordable Fire and Emergency Services Maximization Ordinance.

SECTION 2. Findings and Declarations.

On March 2, 1999, Monterey Park voters approved an ordinance adding Section 2.40.065 to the Municipal Code. This requires that a majority of the voters of the City of Monterey Park voting thereon at any regular or special municipal election approve the transfer of fire and paramedic service to the Los Angeles County Fire Department (LACFD). Municipal Code Section 2.40.065 presently creates unnecessary barriers to the City's ability to transfer fire protection services pursuant to Government Code Section 55632.

To this end, the City of Monterey Park Safe and Affordable Fire and Emergency Services Maximization Ordinance expresses the intention of the voters to approve and facilitate such a transfer.

The Monterey Park City Council, in its ongoing effort to save precious taxpayer dollars and improve City services without raising taxes, authorized an independent auditor to prepare a detailed financial analysis of a proposed Monterey Park Fire Department merger with the LACFD.

Completed in August 2012, and at no cost to taxpayers, the independent auditor's report found that LACFD annexation proposal, as written, provides a long-term cost benefit to the City of Monterey Park.

Costs for the merger are projected through 2017, and represent \$12.6 million accumulative savings including all one-time costs. The proposal represents a potential cost savings to the City (over a five-year period) of \$10,158,461 to \$12,567,520, depending on contract specified inflation increases.

Employees transferring to the LACFD system will no longer be in the City's CalPERS pool generating future unfunded liabilities – an additional savings to City taxpayers.

Moreover, fire and paramedic service would improve as a result of the proposed merger, according to the independent auditor's report. LACFD can provide quicker delivery of higher-level technical specialty resources to incidents. The depth of administrative support and fire training are other key areas of distinct improvement over current status.

And the expected cost savings with transition will directly address the critical financial challenge facing Monterey Park today. The financial impact of a transition will provide much needed financial relief to the City while maintaining or improving various service levels, including emergency response, administrative services, and support areas.

The report also found that most city managers of recently transitioned cities find that LACFD is providing quality service in their communities. Furthermore, some managers stated that if they were faced with the same situation again, they would make the decision to contract with LACFD.

SECTION 3. Amendment of the Monterey Park Municipal Code.

[This initiative measure amends sections of the Monterey Park Municipal Code; therefore, added text is printed in *italic type*, and deleted text in ~~strikeout~~.]

2.40.065 Voter approval for transfer of police and/or fire services.

Except as provided herein, police and fire service shall be provided by employees holding employment status as defined in Chapter 2.28 of the Monterey Park Municipal Code. *As an alternative to providing fire protection services through employees holding employment status as defined in Chapter 2.28 of the Monterey Park Municipal Code, fire services may be provided by employees of another local agency if fire protection services are transferred or consolidated in accordance with Government Code Section 55632 and if the City of Monterey Park will not have joint or several liability for any pension benefits accrued by employees of the local agency to which the responsibility for such services are transferred after the date such consolidation or transfer has been fully and finally effectuated.*

Prior to the city council transferring or consolidating all or substantially ~~all of the police and/or fire~~ services performed by sworn city personnel to any other public entity other than the city of Monterey Park the following findings shall be made:

- (a) Existing emergency response times and service levels, including but not limited to, on-duty staffing levels, facilities and equipment, shall be maintained or enhanced.
- (b) There shall not be an increase in cost to ~~either the police or fire~~ department general fund allocation or if a savings to any fund is projected it shall not be a result of significant service alterations or reductions.

Such evidence, including a report by an independent auditor of the financial costs associated with a final proposal, shall be submitted to an ad hoc committee of residents appointed by the city council. The purpose shall be to develop a report that would analyze any proposal in the form of a complete and final proposal and make a recommendation to the city council of such action. Prior to any such transfer or consolidation of *police services* becoming effective, the proposed transfer or consolidation shall have been approved by a majority of voters at any regular or special municipal election.

2.40.070: Fire prevention, fire protection, paramedic and emergency medical service, and hazardous materials management.

- (1) Subject to the provisions of this section, the responsibility for the provision of fire protection services, including fire prevention, fire protection, paramedic and emergency medical service, and hazardous materials management, in the City of Monterey Park is transferred from the Monterey Park Fire Department to the Los Angeles County Fire Department as of the date that the consolidation of the City of Monterey Park into the Consolidated Fire Prevention District of Los Angeles County or such other later date as is required by applicable law.*
- (2) This transfer of fire prevention, fire protection, paramedic and emergency medical service, and hazardous materials management from the Monterey Park Fire Department to the Los Angeles County Fire Department shall become effective as soon as practicable after the completion of all necessary administrative prerequisites, including those identified in subparagraph (3), below.*
- (3) Notwithstanding any other ordinance of the City of Monterey Park, the Monterey Park City Council is hereby authorized and empowered to the maximum extent consistent with California Government Code Sections 55632 and 56855 immediately to commence all necessary administrative steps to effect the transfer of fire protection services to the Consolidated Fire Protection District of Los Angeles County. These administrative steps include the following:*
 - a. Negotiating, directly or by delegating bargaining authority, as City Council may deem appropriate, the effects of a transfer and any other terms and conditions of employment implicated by a transfer of employees of the City potentially affected by the transfer;*
 - b. Requesting approval from the Local Agency Formation Commission for the transfer pursuant to Government Code Section 56000, et seq.;*
 - c. Negotiating and entering into a contract for fire protection services with the Los Angeles County Fire Department pursuant to Government Code Section 56855;*
 - d. Conforming the City Municipal Code with the Los Angeles Fire Code, consistent with the City's agreement with the Los Angeles County Fire Department;*

- e. *Performing the steps identified in Municipal Code Section 2.40.065 to the extent that these steps are required by law; and*
- f. *Any other administrative steps that the City Council deems necessary or appropriate in effecting the transfer.*

(4) Nothing in this Section is intended, nor shall it be construed, to interfere with or impair the City's fiscal powers. All contracting performed pursuant to this section shall be conducted in accordance with California law, and the City Council shall retain its power to establish and modify the City's budget, to determine the price paid for services, and to negotiate and finalize any agreement.

(5) To the extent that any duty ascribed by the Municipal Code to the Los Angeles County Fire Department is actually within the authority of the Consolidated Fire Protection District of Los Angeles County, then the reference shall be construed as referring to the Consolidated Fire Protection District of Los Angeles County. Conversely, to the extent that any duty ascribed in the Municipal Code to the Consolidated Fire Protection District of Los Angeles County is actually within the authority of the Los Angeles County Fire Department, then the reference shall be construed as referring to the Los Angeles County Fire Department.

2.40.075: Fire services definitions.

As of the effective date of the City of Monterey Park's participation in the Consolidated Fire Protection District of Los Angeles County, as provided in Section 2.40.070, all references in the Municipal Code, but not in the City's General Plan or any City Zoning Ordinance, to "firefighters," "paramedic," "fire protection," "fire chief," and "fire department" shall be deemed to refer to services provided by and personnel employed by the Los Angeles County Fire Department.

As of the effective date of the City of Monterey Park's participation in the Consolidated Fire Protection District of Los Angeles County, as provided in Section 2.40.070, all responsibilities and powers assigned in the Municipal Code, but not in the City's General Plan or any City Zoning Ordinance, to the "fire chief" or "fire department" shall be deemed to refer to the person or the entity performing analogous functions within the Consolidated Fire Protection District of Los Angeles County.

Nothing in this Section is intended to amend or alter anything in the City's General Plan or any Zoning Ordinance.

SECTION 4. Severability.

- (a) The provisions of this initiative measure are severable. If any provision of this initiative measure, or parts thereof, is held invalid, that finding shall not affect other provisions that can be given effect without the invalid provision.
- (b) The purpose of this measure is to implement a policy favoring, and to facilitate, the City's contracting with other local agencies for fire services, including, in

particular, the Consolidated Fire Protection District of Los Angeles County, in accordance with Government Code Section 55632 without being required to overcome any procedural requirements not imposed by state law, including submission of the question at a regular or special municipal election. If any provision of this initiative measure, or parts thereof, is determined to encompass anything other than this singular subject, the provisions that are deemed not to meet this single subject shall be severed.

SECTION 5. Effective Date.

This measure shall be effective the date of its enactment and, notwithstanding any other local law or ordinance, shall apply to any measure adopted by the voters at or after the election on which the voters approve this measure.

CITY OF MONTEREY PARK

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City Council

Mitchell Ing
Peter Chan
Hans Liang
Teresa Real Sebastian
Anthony Wong

City Clerk

Vincent D. Chang

City Treasurer

Joseph Leon

State of California)
County of Los Angeles) §
City of Monterey Park)

I, Cindy Trang, Deputy City Clerk of the City of Monterey Park and Ex-Officio Clerk of the City Council of said City do hereby certify that the foregoing is a full, true and correct copy of the original document authorizing signatories on all accounts of the city.

RESOLUTION NO. 11567

**A RESOLUTION REQUESTING THAT THE LOS ANGELES COUNTY
BOARD OF SUPERVISORS PROVIDE ELECTION SERVICES TO THE
CITY FOR THE JULY 2, 2013 SPECIAL ELECTION**

on file in my office, and that I have carefully compared the same with the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Monterey Park, this 9th day of April, 2013.

A handwritten signature in black ink, appearing to read "Cindy Trang", is written over a horizontal line.

Deputy City Clerk and Ex-Officio Clerk of the City Council
of the City of Monterey Park, California

RESOLUTION NO. 11567

A RESOLUTION REQUESTING THAT THE LOS ANGELES COUNTY BOARD OF SUPERVISORS PROVIDE ELECTION SERVICES TO THE CITY FOR THE JULY 2, 2013 SPECIAL ELECTION

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 10002, the City Council requests that the Los Angeles County Board of Supervisors assist the City with its local special election scheduled for July 2, 2013.

SECTION 2: The services requested by the City include the following:

- A. Computer records of the names and addresses of all eligible registered voters in the City;
- B. Furnish printed indices of all eligible voters within the City for use by the precinct board at polling places; and
- C. Provide additional election equipment and assistance to the City in accordance with California law.


SECTION 3: The City will reimburse Los Angeles County for services performed pursuant to this request and upon the City's receipt of a County invoice.

SECTION 4: The City Clerk is directed to forward a certified copy of this Resolution to the Los Angeles Board of Supervisors and the Los Angeles County Clerk's office.

SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 3rd day of April, 2013.

ATTEST




Vincent D. Chang, City Clerk
City of Monterey Park, California



Mitchell Ing, Mayor
City of Monterey Park, California

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 


Karl H. Berger, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF MONTEREY PARK)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 11567 was duly adopted by the City Council of the City of Monterey Park at a Regular Meeting held on the 3rd day of April, 2013, by the following vote:

Ayes:	Council Members: Chan, Liang, Wong, Real Sebastian, Ing
Noes:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None

Dated this 3rd day of April, 2013.



Vincent D. Chang, City Clerk
City of Monterey Park, California

RESOLUTION NO. 11568

A RESOLUTION ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR THE SPECIAL ELECTION ON JULY 2, 2013.

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 9281, qualified voters may submit arguments for and against the ballot measures, in addition to rebuttal arguments, for the July 2, 2013 Special Election on forms provided by the City Clerk.

SECTION 2: Arguments filed in accordance with this Resolution must comply with the following requirements in accordance with Elections Code §§ 9282, 9283, 9285, and 9286:

- A. Arguments must be in writing and not exceed three hundred (300) words except for rebuttal argument which may not exceed two hundred and fifty (250) words;
- B. Arguments may be submitted by the City Council; any councilmember authorized to submit an argument by the City Council; any individual voter eligible to vote on the measures; any bona fide association of citizens; or any combination of voters and associations;
- C. Arguments must be typewritten in at least a 12 point font;
- D. Arguments may not include underlining, italics, asterisks, or other, similar, type of formatting;
- E. Arguments must be accompanied by the printed name and signature or printed names and signatures of the person or persons submitting it, or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers.
- F. If more than five (5) signatures accompany an argument, only the first five (5) will be printed.
- G. Arguments for or against the ballot measures must be received in the City Clerk's office not later than 14 days after the City Council calls for an election. Rebuttal arguments must be received not later than 10 days after the Arguments submittal deadline.

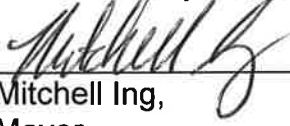
SECTION 3: Pursuant to 42 U.S.C. § 1973aa-1a., the City Clerk will:

- A. Translate all ballot statements into Spanish, Chinese, and Vietnamese;
- B. Make translated copies of ballot statements publicly available.

SECTION 4: This Resolution will remain effective until superseded by a subsequent resolution.


SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 3rd day of April, 2013.



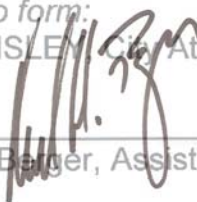
Mitchell Ing,
Mayor

ATTEST



Vincent D. Chang, City Clerk

Approved as to form:
MARK D. HENSLEY, City Attorney

By: 


Karl H. Berger, Assistant City Attorney

State of California)
County of Los Angeles) ss.
City of Monterey Park)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 11568 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 3rd day of April, 2013, by the following vote:

Ayes:	Council Members: Chan, Liang, Wong, Real Sebastian, Ing
Noes:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None

Dated this 3rd day of April, 2013.



Vincent D. Chang, City Clerk
City of Monterey Park, California

RESOLUTION NO. 11569

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF BALLOT MEASURES FOR THE SPECIAL ELECTION CALLED FOR JULY 2, 2013.

The City Council of the City of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 9280, the City Clerk is directed to transmit a copy of measures placed on the ballot for the July 2, 2013 special election to the City Attorney for an impartial analysis of each.

SECTION 2: Upon receiving the ballot measures, the City Attorney is directed to prepare an impartial analysis of the measures showing their effect, if any, on existing law and the operation of the measures. Such analysis must not be more than 500 words.

SECTION 3: The City Clerk is directed to have the City Attorney's analysis printed before the arguments for and against the measures. Immediately below the impartial analysis, in not less than 10 point bold type, the City Clerk should have the following language printed: "The above statement is an impartial analysis of Measure FF. If you desire a copy of the legislation affected by this measure, please call the City Clerk's office at (626) 307-1359 and a copy will be mailed at no cost to you."

SECTION 4: Pursuant to 42 U.S.C. § 1973aa-1a., the City Clerk will:

- A. Translate all ballot statements into Spanish, Chinese, and Vietnamese;
- B. Make translated copies of ballot statements publicly available.

SECTION 5: This Resolution will remain effective until superseded by a subsequent resolution.


SECTION 6: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 3rd day of April, 2013.



Mitchell Ing,
Mayor

ATTEST:



Vincent D. Chang, CMC, City Clerk

Approved as to form:

MARK D. HENSLEY, City Attorney

By:




Karl H. Berger, Assistant City Attorney

State of California)
County of Los Angeles) ss.
City of Monterey Park)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No.11569 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 3rd day of April, 2013, by the following vote:

Ayes:	Council Members: Chan, Liang, Wong, Real Sebastian, Ing
Nays:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None

Dated this 3rd day of April, 2013.



Vincent D. Chang, City Clerk
City of Monterey Park, California